

TEXAS TRANSPORTATION COMMISSION

Various County

MINUTE ORDER

Page 1 of 1

Various District

Transportation Code, §201.206, authorizes the Texas Department of Transportation (department) to accept a donation in any form, including realty, personalty, money, materials, and services, for the purpose of carrying out its functions and duties. Government Code, Chapter 575, requires the governing board of a state agency to acknowledge the acceptance of a donation valued at \$500 or more by majority vote at an open meeting, not later than the 90th day after the date the donation is accepted. It also prohibits a state agency from accepting a donation from a person who is a party to a contested case before the agency until the 30th day after the date the decision in the case becomes final.

The Texas Transportation Commission (commission) has adopted 43 TAC §§1.500-1.506, which relate to the department's acceptance of donations. Section 1.503 authorizes the executive director to approve acceptance of donations to the department and requires that donations valued at \$500 or more must be acknowledged by order of the commission not later than the 90th day after the date the donation is accepted by the department. It further prohibits acceptance of a gift or donation when the donor is subject to department regulation or oversight or when the donor is interested in or likely to become interested in any contract, purchase, payment, or claim with or against the department, except as provided by that section. It also provides that the executive director may approve the acceptance of a donation, notwithstanding the foregoing proscriptions in the rules, if the executive director determines that acceptance would provide a significant public benefit and would not influence or reasonably appear to influence the department in the performance of its duties.

Transportation Code, §223.049 authorizes the department to contract with an owner of land adjacent to a highway that is part of the state highway system to construct an improvement on the highway right of way that is directly related to improving access to or from the owner's land. Exhibit A lists donations resulting from a contract executed by the department under Transportation Code, §223.049 and other donations accepted under Transportation Code, §201.206.

The commission established the Sponsorship Acknowledgement Program under 43 TAC Chapter 12, Subchapter K. The program, which is authorized by the Federal Highway Administration in FHWA Order 5610.1A, allows the department to place signs acknowledging donations made to the department to fund transportation related services. Exhibit B lists donations made to the department under the Sponsorship Acknowledgement Program.

The executive director has determined that the donations identified in the attached exhibits comply with the applicable provisions of 43 TAC §§1.500-1.506, 43 TAC §12.353, Government Code, Chapter 575 and Transportation Code, §201.206, §223.049 and §224.001, and has approved acceptance of those donations. All required donation agreements have been executed under 43 TAC §1.504 and §1.506, as applicable

IT IS THEREFORE ORDERED by the commission that it acknowledges the acceptance of the donations identified in the attached Exhibits A and B.

Submitted and reviewed by:

Recommended by:

DocuSigned by:

F1CDA80FDB8C4B6
Director, Contract Services Division

DocuSigned by:

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Executive Director

116025 May 27, 2021

Minute	Date
Number	Passed

**EXHIBIT A
DONATIONS
May 27, 2021**

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
1.	Armstrong County Museum	Traffic Safety Division	Armstrong	The donor is donating a fixed amount of \$3,657.00 to design, fabricate, and install two memorial highway designation signs on the portion of US 287 from the eastern corporate limits of Claude to Clarendon, designated as the Colonel Charles Goodnight Memorial Highway within Armstrong County, Texas. The design, fabrication, and installation of the signs will be performed by the state.	\$3,657.00	4/22/2021
2.	Austin Stadco LLC	Austin District	Travis	The donor is donating design and a fixed amount of \$80,483.00 for installation of way-finding signs in Austin, Travis County, Texas. The way-finding signs are located at 6 various locations along IH 35, US 183 and SL 1 which directs traffic to the donor's development. All design work will be provided by the donor, its consultant, or its contractor. The estimated value of the design is \$30,802.00. The state will review, approve the plan, and perform the installation work as part of TxDOT project with CSJ 0015-13-382. The estimated value of the donation is \$111,285.00, which includes payment for the state's fixed fee for installation of signs in state right of way, and state direct and indirect costs to review, monitor, and inspect the work that is on the state right of way.	\$111,285.00	4/22/2021
3.	Berk RE, LLC	Austin District	Caldwell	The donor is donating the design and construction of a two-way center turn lane on US 183 from Apple Street to Flores Street in Lockhart, Caldwell County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$130,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$130,000.00	5/04/2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
4.	Centex Monte Vista, L.P.	Austin District	Bastrop	The donor is donating the design and construction of a right turn lane on FM 1704 from Arbuckle Road to 0.25 miles north of Arbuckle Road in Elgin, Bastrop County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$110,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$110,000.00	4/14/2021
5.	Compass Rose Education, Inc.	Austin District	Travis	The donor is donating design and funds sufficient to cover the state's cost to construct a right deceleration lane and an acceleration lane to access a new driveway approximately 0.33 miles south of the intersection of FM 973 and Suncrest Road in Manor, Travis County, Texas. The improvements include pavement widening, striping, and signage. The design will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$390,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$390,000.00	4/04/2021
6.	Continental Homes of Texas, L.P.	San Antonio District	Guadalupe	The donor is donating design and construction of a traffic signal on FM 78 at S. Main Street in Cibolo, Guadalupe County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$340,000.00.	\$340,000.00	4/16/2021
7.	Cypress 856, Ltd.	Houston District	Harris	The donor is donating the design and construction of a right turn lane at Settlers Village Drive north of FM 529 into the donor's development and a traffic signal modification at FM 529 and Settlers Village Drive in Cypress, Harris County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$420,000.00. <i>(Replaces previously acknowledged on 2/25/2021 due to an increase in the estimated value from \$200,000.00 to \$420,000.00.)</i>	\$420,000.00	4/16/2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
8.	D.R. Horton - Texas, Ltd.	Houston District	Fort Bend	The donor is donating the design and construction of a traffic signal at the intersection of FM 2977 (Minonite Road) at Bryan Road in Rosenberg, Fort Bend County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$320,000.00.	\$320,000.00	4/10/2021
9.	Entravision Communications Corporation	Houston District	Montgomery	The donor is donating the design and construction of a right turn lane from west bound SH 99 frontage road into the donor's development in Montgomery County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$75,000.00.	\$75,000.00	4/16/2021
10.	ET Houston, LLC	Houston District	Montgomery	The donor is donating the design and construction of a deceleration lane from northbound I 69 service road into the donor's development in Porter, Montgomery County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$200,000.00.	\$200,000.00	4/10/2021
11.	HM Parkside Development, Inc.	Austin District	Williamson	The donor is donating the design and construction of a left turn and right turn deceleration lanes on RM 2243 at the Greenview Drive intersection in Georgetown, Williamson County, Texas. All design and construction will be provided by the donor, its consultant or contractor. The estimated value of the donation is \$1,000,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way. <i>(Replaces previously acknowledged on 10/29/2020 due to an increase in the estimated value from \$820,000.00 to \$1,000,000.00.)</i>	\$1,000,000.00	4/26/2021
12.	KB Home Lone Star Inc.	Houston District	Fort Bend	The donor is donating the design and construction of a left turn lane from eastbound FM 359 into the donor's development in Fort Bend County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$220,000.00.	\$220,000	4/22/2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
13.	KIPP Texas, Inc.	Houston District	Harris	The donor is donating the design and construction of deceleration and acceleration lanes from eastbound US 90A (S. Main Street) into the donor's development in Houston, Harris County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$140,000.00.	\$140,000.00	4/21/2021
14.	Lanzola MHP3, LLC	Austin District	Caldwell	The donor is donating the design and construction of a two-way center turn lane and right turn lane on FM 2720 from 0.2 miles northwest of Bobwhite Road to 0.4 miles southeast of Bobwhite Road in Lockhart, Caldwell County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$310,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$310,000.00	4/07/2021
15.	Lennar Homes of Texas Land and Construction, Ltd.	San Antonio District	Guadalupe	The donor is donating the design and construction of a right turn lane for a new subdivision entrance on SH 46 in Seguin, Guadalupe County, Texas. All design and construction will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$46,000.00. <i>(Replaces previously acknowledged for 725 and 46 Land Development Partners, Ltd. on 12/12/19 due to a change in donor.)</i>	\$46,000.00	4/14/2021
16.	Lennar Homes of Texas Land and Construction, Ltd.	Austin District	Caldwell	The donor is donating the design and construction of a two-way center turn lane and right turn lane on US 183 from 0.1 miles south of Summerside Avenue to 0.2 miles north of Summerside Avenue in Lockhart, Caldwell County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$220,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$220,000.00	4/07/2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
17.	MaBe Lakeview LLC	Fort Worth District	Palo Pinto	The donor is donating sufficient funding, property, and services to provide for land acquisition and exchange of right of way, utility relocation, environmental assessments, schematics, plans, specifications and estimates, construction and construction engineering necessary for relocation of approximately 0.25 mile length of highway designated as Park Road 36 (PR-36) in Palo Pinto County, Texas. The estimated value of the donation is \$620,000.00.	\$620,000.00	5/06/2021
18.	MPLD II Rodeo, LLC	San Antonio District	Bexar	The donor is donating the design and construction of a traffic signal, driveway and widening of road for left and right turn lanes on LP 1604 approximately 1.0 mile south of US 90 in Bexar County, Texas. All design and construction will be performed by the donor, its consultant or its contractor. The estimated value of the donation is \$710,000.00.	\$710,000.00	4/02/2021
19.	Meritage Homes of Texas, LLC	Houston District	Montgomery	The donor is donating the design and construction of a traffic signal at South Pine Lake Road and SH 105 into the donor's development in Conroe, Montgomery County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$170,000.00. <i>(Replaces previously acknowledged on 4/29/2021 due to a decrease in the estimated value from \$260,000.00 to \$170,000.00.)</i>	\$170,000.00	4/16/2021
20.	MREC MAG MorningStar LLC	Austin District	Williamson	The donor is donating the design and construction of a new traffic signal at the intersection of SH 29 and Kauffman Loop in Georgetown, Williamson County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$690,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$690,000.00	4/22/2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
21.	Post Oak Pointe, LTD	Houston District	Fort Bend	The donor is donating the design and construction of a right turn lane from eastbound SH 6 into the donor's development in Arcola, Fort Bend County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$250,000.00.	\$250,000.00	4/22/2021
22.	RCR Hempstead Rail, L.P.	Houston District	Waller	The donor is donating the design and construction of an acceleration/deceleration lane, left turn lane extension, and widening a medical crossing from southbound and northbound SH 6 into the RCR Hempstead Logistics Park development in Hempstead, Waller County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$420,000.00.	\$420,000.00	4/08/2021
23.	SH 130 Concession Company, LLC	San Antonio District	Bexar	The donor is donating an amount sufficient to cover the state's cost to design, construct and install a changeable message sign above the northbound lanes of IH 35, south of the IH 410 interchange in Von Ormy, Bexar County, Texas. All design and construction will be provided by the state or its contractor. The state will include the construction work as part of an existing project (CSJ 0915-12-577). The estimated value of the donation is \$240,000.00.	\$240,000.00	5/04/2021
24.	Starlight Homes Texas L.L.C.	San Antonio District	Bexar	The donor is donating the design and construction of northbound deceleration lane on IH 410 at Sinclair Rd, and westbound deceleration lane and eastbound acceleration lane on Sinclair Rd at IH 410 as offsite improvements for the Sutton Tract in San Antonio, Bexar County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$310,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$310,000.00	5/04/2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
25.	Taylor Morrison of Texas, Inc.	Austin District	Williamson	The donor is donating the design and construction of a new traffic signal at the intersection of RM 2243 and Horizon Park Boulevard in Leander, Williamson County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$430,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$430,000.00	4/21/2021
26.	Tenise Development, LLC	Bryan District	Walker	The donor is donating the design and construction of a left turn lane on SH 75 into the donor's property located in Huntsville, Walker County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$480,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$480,000.00	4/28/2021
27.	Tesla, Inc.	Austin District	Travis	The donor is donating the design and construction of operational safety improvements at the intersection of SH 130 at Harold Green Road, FM 973 at Harold Green Road, SH 130 at Private Drive, and signal improvements along FM 973 in Austin, Travis County, Texas. The improvements include pavement widening, drainage improvements, striping, and signals. The estimated value of the donation is \$8,800,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$8,800,000.00	4/28/2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
28.	Uvalde Realty Partners, LLC	Houston District	Harris	The donor is donating the design and construction of a right turn lane from eastbound US 90 frontage road and a right turn lane from eastbound Sam Houston Parkway frontage road into the donor's development in Houston, Harris County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$300,000.00. <i>(Replaces previously acknowledged on 3/25/2021 due to a change in scope and an increase in the estimated value from \$140,000.00 to \$300,000.00.)</i>	\$300,000.00	4/16/2021
29.	West Elm Property Inc.	Houston District	Fort Bend	The donor is donating the design and construction of a left turn lane along northbound FM 1489 into the donor's development in Fort Bend County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$200,000.00.	\$200,000.00	4/19/2021
30.	Zippy J's Brenham Holdings, LLC	Bryan District	Freestone	The donor is donating a fixed amount of \$107,000.00 to cover the state's cost to construct a right turn lane on IH 45 east frontage road into the donor's property located in Fairfield, Freestone County, Texas. All design and construction work will be provided by the state, its consultant or its contractor. The state will include the construction work as part of the project under CSJ 0675-01-069.	\$107,000.00	05/04/2021

EXHIBIT B
DONATIONS
May 27, 2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION
1	Dreamland Tank Town, LLC	Austin	Hays	The donor is donating \$1,764.00 under the Sponsor a Highway Program for a period of 2 years. This is a new contract on an existing sign location.
2	Total Men's Primary Care	Austin	Hays	The donor is donating \$1,080.00 under the Sponsor a Highway Program for a period of 2 years. This is a new contract on an existing sign location.
3	Air Werks	Austin	Travis	The donor is donating \$1,238.40 under the Sponsor a Highway Program for a period of 2 years. This is a renewal contract on an existing sign location.
4	Benton Enterprises, Inc. dba McDonald's	Austin	Travis	The donor is donating \$3,600.00 under the Sponsor a Highway Program for a period of 2 years. This is a new contract on two existing sign locations.
5	Kidd Roofing	Austin	Travis	The donor is donating \$1,800.00 under the Sponsor a Highway Program for a period of 2 years. This is a new contract on an existing sign location.
6	Lewis Family Medicine Urgent Care, PLLC	Austin	Travis	The donor is donating \$1,720.00 under the Sponsor a Highway Program for a period of 2 years. This is a renewal contract on an existing sign location.
7	Luxury Auto Works	Austin	Travis	The donor is donating \$1,080.00 under the Sponsor a Highway Program for a period of 2 years. This is a renewal contract on an existing sign location.
8	Total Men's Primary Care	Austin	Travis	The donor is donating \$1,080.00 under the Sponsor a Highway Program for a period of 2 years. This is a new contract on an existing sign location.
9	SM Switchback, LLC dba Smokey Mo's Bar-B-Q	Austin	Williamson	The donor is donating \$1,980.00 under the Sponsor a Highway Program for a period of 2 years. This is a renewal contract on an existing sign location.
10	Total Men's Primary Care	Austin	Williamson	The donor is donating \$1,080.00 under the Sponsor a Highway Program for a period of 2 years. This is a new contract on an existing sign location.

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION
11	Total Men's Primary Care	Dallas	Collin	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
12	Total Men's Primary Care	Dallas	Denton	The donor is donating 2 miles of litter pick up per month for 2 years under the Sponsor A Highway Program
13	Total Men's Primary Care	Fort Worth	Tarrant	The donor is donating 3 miles of litter pick up per month for 2 years under the Sponsor A Highway Program
14	Armor Glass International, Inc	Houston	Harris	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
15	Zeus Mortgage, LTD (dba) ZeusLending.com	Houston	Harris	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
16	Comal Iron & Metals, Inc.	San Antonio	Comal	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program